

Effective 7/1/2020

53F-2-303 Foreign exchange student weighted pupil units.

- (1) A school district or charter school may include foreign exchange students in the district's or school's membership and attendance count for the purpose of apportionment of state money, except as provided in Subsections (2) through (5).
- (2)
 - (a) Notwithstanding Section 53F-2-302, foreign exchange students may not be included in average daily membership for the purpose of determining the number of weighted pupil units in the grades 1-12 basic program.
 - (b) Subject to the limitation in Subsection (3), and except as provided in Subsection (5), the number of weighted pupil units in the grades 1-12 basic program attributed to foreign exchange students shall be equal to the number of foreign exchange students who were:
 - (i) enrolled in a school district or charter school on October 1 of the previous fiscal year; and
 - (ii) sponsored by an agency approved by the district's local school board or charter school's governing board.
- (3)
 - (a) Except as provided in Subsection (5), the total number of foreign exchange students in the state that may be counted for the purpose of apportioning state money under Subsection (2) shall be the lesser of:
 - (i) the number of foreign exchange students enrolled in public schools in the state on October 1 of the previous fiscal year; or
 - (ii) 328 foreign exchange students.
 - (b) The state board shall make rules in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, to administer the cap on the number of foreign exchange students that may be counted for the purpose of apportioning state money under Subsection (2).
- (4) Notwithstanding Section 53F-2-601, weighted pupil units in the grades 1-12 basic program for foreign exchange students, as determined by Subsections (2) and (3), may not be included for the purposes of determining a school district's state guarantee money under Section 53F-2-601.
- (5) This section does not apply to the 2020-2021 academic year.

Amended by Chapter 14, 2020 Special Session 5